

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DANNY L. KIRTS,)	4:05CV3281
)	
Plaintiff,)	
)	
vs.)	
)	JUDGMENT
THE BURLINGTON NORTHERN)	
SANTA FE RAILWAY, a Delaware)	
corporation; and LIBERTY)	
MUTUAL INSURANCE GROUP,)	
)	
Defendants.)	
)	
)	
BNSF RAILWAY COMPANY,)	
f/k/a Burlington Northern and)	
Santa Fe Railway Company,)	
)	
Defendant and)	
Third-Party Plaintiff,)	
)	
vs.)	
)	
THE WESTERN SUGAR)	
COOPERATIVE, a Colorado)	
Cooperative Corporation,)	
)	
Third-Party Defendant.)	

Pursuant to the parties' joint Stipulation for Dismissal With Prejudice (filing 76) and Fed. R. Civ. P. 41,

IT IS ORDERED that this action is dismissed with prejudice, the complete record waived, each party to pay its own costs.

August 30, 2006.

BY THE COURT:

s/ *Richard G. Kopf*

United States District Judge